

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

PHILIP BURRIS,)	
)	
Plaintiff,)	NO. CIV-13-867-D
)	
vs.)	
)	
STATE OF OKLAHOMA, ex rel.,)	
OKLAHOMA DEPARTMENT OF)	
CORRECTIONS, KACIE)	
McDONALD, Case Manager)	
JUSTIN JONES, Director of DOC,)	
MIKE ADDISON, Warden at)	
Joseph Harp Correctional Center,)	
)	
Defendants.)	

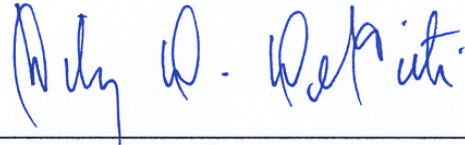
ORDER

This matter is before the Court for review of the Report and Recommendation issued by United States Magistrate Judge Suzanne Mitchell pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). Judge Mitchell recommends granting in part, and denying in part, the Motion to Dismiss and Brief in Support of Defendants Oklahoma Department of Corrections, Justin Jones and Mike Addison [Doc. No. 16].

No party has filed a timely objection or requested additional time to object, although the parties were expressly advised of the right to object and the deadline for objections. Thus the Court finds all parties have waived further review of the issues addressed in the Report. Accordingly, the Court adopts the Report and Recommendation [Doc. No. 20] in its entirety; Defendants' Motion to Dismiss [Doc. No. 16] is GRANTED in part and DENIED in part as set forth therein.

The case is again referred to Judge Mitchell under 28 U.S.C. § 636 for further proceedings consistent with her Report and Recommendation and the initial case referral.

IT IS SO ORDERED this 4th day of February, 2014.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE